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16 **UNITED STATES DISTRICT COURT**
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18 **NORTHERN DISTRICT OF CALIFORNIA**
19
20 **SAN FRANCISCO DIVISION**
21

22 IN RE: UBER TECHNOLOGIES, INC.,
23 PASSENGER SEXUAL ASSAULT
24 LITIGATION

Case No. 3:23-md-03084-CRB

25 **DECLARATION OF WILLIAM A. LEVIN**
26 **IN SUPPORT OF LEVIN SIMES**
27 **PLAINTIFFS' MOTION TO CHANGE**
28 **TIME TO COMPLY WITH COURT'S**
ORDER CONCERNING NON-BONA-
FIDE RIDE RECEIPTS

29 This Document Relates to:

30 *Jane Doe LS 333 v. Uber Technologies, Inc., et*
31 *al., Case No. 3:23-cv-05930-CRB*

32 *Jane Doe LS 397 v. Uber Technologies, Inc., et*
33 *al., Case No. 3:24-cv-05864-CRB*

Judge: Honorable Charles R. Breyer
Hearing Date: October 31, 2025
Time: 10:00 a.m.
Courtroom: 6 – 17th Floor

I, William A. Levin declare as follows:

1. I am an attorney with Levin Simes LLP, counsel of record for Plaintiffs with MDL IDs 1194 and 2350 in this multidistrict litigation. I make this declaration in support of Plaintiffs' Motion to Change Time. I have personal knowledge of the facts stated herein and, if called as a witness, I could and would testify competently thereto.

2. On September 9, 2025, the Court entered an Order to Show Cause (Dkt. 3876) directing, among other things, that Plaintiffs with MDL IDs 1194 and 2350: (a) produce native versions of certain ride receipts with associated metadata pursuant to the ESI Protocol; (b) produce documents and communications relating to the generation or authentication of those receipts; and (c) submit to depositions of up to three hours concerning authenticity.

3. Levin Simes LLP is currently serving as trial counsel in the parallel Judicial Council Coordinated Proceeding concerning sexual assaults in Ubers, pending in California state court. That bellwether trial began on September 8, 2025, and is scheduled to continue through September 25, 2025. Substantial post-trial briefing obligations are anticipated immediately following trial.

4. The demands of the parallel JCCP trial preclude counsel from devoting adequate resources to meet the deadlines imposed by the September 9 Order.

5. On September 12, 2025, my office requested that Uber stipulate to a three-week extension of those deadlines, limited to Plaintiffs with MDL IDs 1194 and 2350. Uber declined. A copy of the email exchange with Uber's counsel is attached as **"Exhibit A."**

6. A three-week extension will allow counsel to conclude the JCCP trial, investigate the authenticity issues more fully, and potentially take steps that would render portions of the Court's September 9 Order moot.

Civil Local Rule 6-3 Certification:

7. Prior Modifications: Other than general case-management orders applicable to all parties, there have been no prior modifications of time requested by or granted to these Plaintiffs concerning the obligations set forth in the September 9 Order.

8. Effect on Schedule: The requested three-week extension will not materially affect any other deadlines or scheduled events in this MDL.

1 9. Substantial Harm or Prejudice: Uber will not be prejudiced by the brief extension.
2 Plaintiffs seek only additional time to comply with discovery obligations imposed by the
3 September 9 Order.

4 I declare under penalty of perjury under the laws of the United States of America that the
5 foregoing is true and correct. Executed on September 12, 2025, in San Francisco, California.

6 Respectfully Submitted,

7 /s/ William A. Levin

8 William A. Levin

9 *Attorney for LS Plaintiffs*

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EXHIBIT A

David Grimes

From: Cotton, Chris (SHB) <CCOTTON@shb.com>
Sent: Friday, September 12, 2025 1:54 PM
To: David Grimes; William Levin; Laurel Simes; Samira Bokaie
Subject: RE: Uber MDL - Judge Breyer's 9/9/25 Order - Request for Deposition Dates

David,

I corrected a typo in my message below with respect to one of the MDLC IDs at issue. That correction is highlighted. Specifically, as you know, MDLC ID 1194 and 2350 are the cases at issue.

Chris

From: Cotton, Chris (SHB) <CCOTTON@shb.com>
Sent: Friday, September 12, 2025 3:42 PM
To: David Grimes <dgrimes@levinsimes.com>; William Levin <wlevin@levinsimes.com>; Laurel Simes <lsimes@levinsimes.com>; Samira Bokaie <sbokaie@levinsimes.com>
Subject: RE: Uber MDL - Judge Breyer's 9/9/25 Order - Request for Deposition Dates

David,

Judge Breyer already set a reasonable timetable to resolve this issue, and we will not agree to an extension of the deadlines he set. The non-bona-fide receipts at issue in MDLC IDs 1194 and **2350** were raised nearly two months ago in July – well before the trial in the JCCP started.

Please provide each Plaintiff's availability for a deposition between September 26-29 and October 6-9 by this coming Monday morning (September 15). As I said below, Uber will issue notices for these depositions no later than the afternoon of September 15.

Chris

From: David Grimes <dgrimes@levinsimes.com>
Sent: Friday, September 12, 2025 11:23 AM
To: Cotton, Chris (SHB) <CCOTTON@shb.com>; William Levin <wlevin@levinsimes.com>; Laurel Simes <lsimes@levinsimes.com>; Samira Bokaie <sbokaie@levinsimes.com>
Subject: RE: Uber MDL - Judge Breyer's 9/9/25 Order - Request for Deposition Dates

EXTERNAL

Hi Chris,

We're in trial right now, so this is not the easiest thing to coordinate at this moment. Would you consider stipulating to a three-week extension of these deadlines? That would also give us an opportunity to discuss this order with the clients and see if we can't moot the issue altogether.

Thanks,

David

From: Cotton, Chris (SHB) <CCOTTON@shb.com>

Sent: Friday, September 12, 2025 7:09 AM

To: William Levin <wlevin@levinsimes.com>; Laurel Simes <lsimes@levinsimes.com>; David Grimes <dgrimes@levinsimes.com>; Samira Bokaie <sbokaie@levinsimes.com>

Subject: RE: Uber MDL - Judge Breyer's 9/9/25 Order - Request for Deposition Dates

Bill, Laurel, David, and Samira,

I'm following up on the September 9 order (ECF No. 3876) entered by Judge Breyer (attached) and my September 10 email below. As you know, Plaintiffs with MDL IDs 1194 and 2350 have each been ordered by Judge Breyer to submit to a deposition within 30 days of the September 9 order. **Please provide each Plaintiff's availability for a deposition between September 26-29 and October 6-9 by this coming Monday morning (September 15).** Uber will issue notices for these depositions no later than the afternoon of September 15.

As a reminder, Judge Breyer also ordered Plaintiffs with MDL IDs 1194 and 2530 to "produce native versions of their receipts, in accordance with the parties' agreed upon ESI Protocol (dkt. 524), including all available metadata outlined in Appendix 2[.]" Those productions should be made within 14 days of the Court's September 9 order, which is consistent with the deadline set by Judge Breyer to produce "any documents and communications relating to the production of their ride receipts, the generation of their receipts, and/or the website 'Makereceipt.com'[".]"

Chris

From: Cotton, Chris (SHB)

Sent: Wednesday, September 10, 2025 5:13 PM

To: wlevin@levinsimes.com; lsimes@levinsimes.com; dgrimes@levinsimes.com; sbokaie@levinsimes.com

Subject: Uber MDL - Judge Breyer's 9/9/25 Order - Request for Deposition Dates

Bill, Laurel, David, and Samira,

I'm following up on the attached order (ECF No. 3876) entered by Judge Breyer yesterday, September 9. As you know, Plaintiffs with MDL IDs 1194 and 2350 have each been ordered to submit to a deposition within 30 days of the order entered yesterday. **By the morning of Monday, September 15, please provide each Plaintiff's availability for a deposition between September 26-29 and October 6-9.** Uber will issue notices for these depositions no later than the afternoon of September 15.

Judge Breyer also ordered Plaintiffs with MDL IDs 1194 and 2530 to "produce native versions of their receipts, in accordance with the parties' agreed upon ESI Protocol (dkt. 524), including all available metadata outlined in Appendix 2[.]" Those productions should be made within 14 days of the Court's September 9 order, which is consistent with the deadline set by Judge Breyer to produce "any documents and communications relating to the production of their ride receipts, the generation of their receipts, and/or the website 'Makereceipt.com'[".]"

Chris

Christopher V. Cotton

Partner

Shook, Hardy & Bacon L.L.P.

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